



HAVASUPAI TRIBAL COUNCIL

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October 22, 2019

Donald Stockdale, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

***Re: Comments on the Tribal Priority Window for Unused EBS
Spectrum
WT Docket No. 18-120, Transforming the 2.5 GHz Band***

Dear Chief Stockdale:

I write on behalf of the Havasupai Tribe ("Tribe") to offer our views on FCC order WT Docket No. 18-120, which provides federally recognized tribal nations with priority to claim unlicensed EBS spectrum over their lands before companies can buy it at auction. We incorporate by reference the comments submitted by MuralNet, the Southern California Tribal Chairmen's Association, and Northern Arizona University on July 3, 2019. While the FCC's order is a major step toward closing the digital divide in Indian Country, we are concerned that the FCC's proposed timeframes (a 90-day outreach period, followed by a 60-day application window) are too short for most tribes to take advantage of this groundbreaking opportunity. As you know, our Tribe's success in using EBS spectrum to build a high-speed Internet network for our Reservation served as a model for the tribal priority window. However, based on this experience, we think most tribes will be hard-pressed to meet the FCC's proposed deadlines. Accordingly, we strongly recommend that the FCC instead adopt a 1-year tribal education period and a 6-month tribal priority application, with rolling application approval that would allow tribes to start build out immediately (i.e. tribes would not need to wait until the end of the application window to claim unlicensed EBS spectrum over their lands and start their build out). We also join Muralnet's recommendation

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that in the event that multiple entities apply for the same spectrum during the tribal priority window, applications from sovereign tribal governments should receive automatic priority and approval.

Tribal leaders are thoughtful, thorough decisionmakers when it comes to all matters affecting their communities, especially infrastructure projects. At Havasupai, we did not rush into the decision to build our own network. It took nearly five months for the Tribal Council to pass a resolution approving the project. That process included multiple discussions with potential partners to understand the capabilities of a high-speed Internet network and what was needed to maintain it, as well as community outreach to fully understand what our tribal citizens would need and want from an Internet network. The plan we ultimately developed and approved reflected our Tribe's values, aspirations, and way of life. And, of course, Tribal Council approval of the project was just the first step - next came securing grant funding and the necessary equipment to launch our pilot program. It then took four more months to secure Special Temporary Authorization from FCC to use EBS spectrum necessary to implement our plan.

Broadband has brought opportunities to our people that we have never had access to before. Our Reservation is the definition of rural: the Village of Supai is located on the floor of the Grand Canyon, and the only ways in and out are via an 8-mile hike by foot or horse or via a helicopter that runs only 2-4 times a week. Even after you make it out of the canyon, the nearest two towns are 67 miles away by car. This extreme ruralness has severely limited our Tribe's ability to meet our community's needs for education, healthcare, and public safety. But the initial successes of our Internet network have given our community renewed hope. We plan to expand our network to connect our whole village, create an online charter high school, deliver healthcare via telemedicine, and provide emergency communications throughout our entire Reservation. Finally, our tribal citizens will be able to better their lives through online education opportunities; finally, our tribal citizens will be able to improve their physical, mental, and spiritual health through telemedicine at our new clinic.

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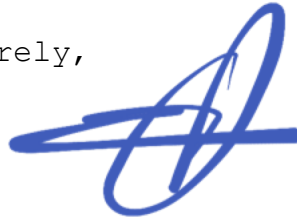
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While each tribal nation experiences different challenges, the Havasupai Tribe is not unique in lacking access to basic services that are a given for other Americans. Broadband holds substantial promise to help bridge this gap for Indian Country. But for tribal nations to make this promise a reality and secure EBS spectrum during the tribal priority window, they need sufficient time to understand the technical aspects of Internet networks, identify community needs, develop necessary partnerships, and meet financial and equipment requirements. Our experience shows that the FCC's proposed timelines are far too short and will leave many tribes behind.

One final note: although the Havasupai Tribe has been held up as a model of success and the inspiration for the tribal priority window, we were not adequately informed of the period to comment on the FCC's implementation plan. It is imperative that tribal nations have adequate notice of the opportunity to submit comments to the FCC on critical issues such as this one. Tribal leaders are stretched thin, and due to lack of adequate staff and resources, we must often individually prepare comments to agencies on top of our other numerous responsibilities.

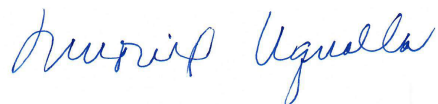
I welcome the opportunity to discuss these issues with you further. Please feel free to contact me at (928) 769-6503 or htc3@havasupai-nsn.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ophelia Watahomigie-Corliss'.

Ophelia Watahomigie-Corliss
Councilwoman for the Havasupai Tribe

CONCURRENCE:

A handwritten signature in blue ink, appearing to read 'Muriel Uqualla'.

Muriel Uqualla, Chairwoman
Havasupai Tribe